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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/680,901	10/06/2003	David Joe Steele	2003-IP-012001	6365	
30652	7590 05/12/2006		EXAMINER		
CONLEY ROSE, P.C. 5700 GRANITE PARKWAY, SUITE 330 PLANO, TX 75024			DANG, HOANG C		
			ART UNIT	PAPER NUMBER	
			3672		
			DATE MAILED: 05/12/200	DATE MAILED: 05/12/2006	

Please find below and/or attached an Office communication concerning this application or proceeding.

## Advisory Action Before the Filing of an Appeal Brief

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Application No.	Applicant(s)	_	
10/680,901	STEELE ET AL.		
Examiner	Art Unit	_	
Hoang Dang	3672		

	Hoang Dang	3672			
The MAILING DATE of this communication appe	ars on the cover sheet with the	correspondence add	ress		
THE REPLY FILED <u>27 March 2006</u> FAILS TO PLACE THIS AP		=			
1.  The reply was filed after a final rejection, but prior to or on this application, applicant must timely file one of the follow places the application in condition for allowance; (2) a No a Request for Continued Examination (RCE) in compliance time periods:	the same day as filing a Notice of ving replies: (1) an amendment, at tice of Appeal (with appeal fee) in	Appeal. To avoid aba fidavit, or other eviden compliance with 37 CI	ce, which FR 41.31; or (3)		
a) The period for reply expiresmonths from the mailing b) The period for reply expires on: (1) the mailing date of this A no event, however, will the statutory period for reply expire is Examiner Note: If box 1 is checked, check either box (a) or (a)	dvisory Action, or (2) the date set forthater than SIX MONTHS from the mailin	ig date of the final rejection	on.		
TWO MONTHS OF THE FINAL REJECTION. See MPEP 7	06.07(f).				
Extensions of time may be obtained under 37 CFR 1.136(a). The date have been filed is the date for purposes of determining the period of exunder 37 CFR 1.17(a) is calculated from: (1) the expiration date of the set forth in (b) above, if checked. Any reply received by the Office later may reduce any earned patent term adjustment. See 37 CFR 1.704(b) NOTICE OF APPEAL	tension and the corresponding amount shortened statutory period for reply orig than three months after the mailing da	of the fee. The appropri	ate extension fee		
2. The Notice of Appeal was filed on A brief in comp filing the Notice of Appeal (37 CFR 41.37(a)), or any external a Notice of Appeal has been filed, any reply must be filed AMENDMENTS	nsion thereof (37 CFR 41.37(e)), to	o avoid dismissal of the	s of the date of e appeal. Since		
<del></del>	but prior to the data of filing a brief	Fuill mat be antered by			
3. The proposed amendment(s) filed after a final rejection, (a) They raise new issues that would require further co	nsideration and/or search (see NC	r, will <u>not</u> be entered be TE below);	ecause		
<ul> <li>(b) ☐ They raise the issue of new matter (see NOTE belo</li> <li>(c) ☐ They are not deemed to place the application in bet</li> </ul>		educing or simplifying t	he issues for		
appeal; and/or					
(d) They present additional claims without canceling a		jected claims.			
NOTE: <u>See Continuation Sheet</u> . (See 37 CFR 1.1					
4. The amendments are not in compliance with 37 CFR 1.1.		ompliant Amendment (	PTOL-324).		
5. Applicant's reply has overcome the following rejection(s)					
<ol> <li>Newly proposed or amended claim(s) would be al non-allowable claim(s).</li> </ol>					
7. For purposes of appeal, the proposed amendment(s): a) how the new or amended claims would be rejected is proved the status of the claim(s) is (or will be) as follows:	$\boxtimes$ will not be entered, or b) $\square$ winded below or appended.	ill be entered and an e	xplanation of		
Claim(s) allowed: <u>NONE</u> .					
Claim(s) objected to: <u>9-18,20,22 and 30</u> . Claim(s) rejected: <u>1-8,21,23-29,31-52,54 and 63-75</u> . Claim(s) withdrawn from consideration: <u>55-62</u> .					
AFFIDAVIT OR OTHER EVIDENCE					
<ol> <li>The affidavit or other evidence filed after a final action, bu because applicant failed to provide a showing of good and was not earlier presented. See 37 CFR 1.116(e).</li> </ol>	t before or on the date of filing a N d sufficient reasons why the affida	lotice of Appeal will <u>no</u> vit or other evidence is	t be entered necessary and		
The affidavit or other evidence filed after the date of filing entered because the affidavit or other evidence failed to o showing a good and sufficient reasons why it is necessary	vercome all rejections under appe	al and/or appellant fail	s to provide a		
10.   The affidavit or other evidence is entered. An explanation					
REQUEST FOR RECONSIDERATION/OTHER  11.   The request for reconsideration has been considered bu	t does NOT place the application i	n condition for allowan	ce because:		
12. 🖾 Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). 3/27/2006					
13.					
		Hoang Dang Primary Examiner			

U.S. Patent and Trademark Office PTOL-303 (Rev. 7-05)

## **Continuation Sheet (PTO-303)**

Application No. 10/680,901

Continuation of 3. NOTE: The new limitations added to claims 33, 63 and 69 clearly raise issues that would require further consideration and/or search. Contrary to applicant's argument, only amended claim 1 has all of the limitations of previously allowed claim 9 in the first Office action mailed on 8/25/2005.